

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND : NO. C10CR23-843 CRIMINAL
: IN THE CIRCUIT COURT FOR
V. : FREDERICK COUNTY, MARYLAND
: DC NO: D-111-CR-23-001439
KEVIN EUGENE MACK : TRACKING NO. 231001315370
: AGENCY: FPD

PRESENTMENT

GRAND JURY OF FREDERICK COUNTY, MARYLAND

SEPTEMBER TERM 2023

COUNT 1 – MURDER – FIRST DEGREE

The Grand Jurors of the State of Maryland for the body of Frederick County, do on their oaths and affirmations present that Kevin Eugene Mack, on or about August 23, 2023, in Frederick County, Maryland, unlawfully did feloniously, willfully, and of deliberately premeditated malice aforethought, kill and murder Kagina Marie Brown; contrary to the form of the Act of Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Criminal Law §2-201) *CJIS Code: 1 0990*

COUNT 2 – MURDER – SECOND DEGREE

And, the Jurors aforesaid, do on their oaths and affirmations present that Kevin Eugene Mack, on or about August 23, 2023, in Frederick County, Maryland, unlawfully did feloniously and with malice aforethought, kill and murder Kagina Marie Brown; contrary to the form of the Act of Assembly in such cases made and provided and against the peace, government, and dignity of the

State. (Criminal Law §2-204) *CJIS Code: 1 1107*

COUNT 3– FIREARM USE- FELONY OR VIOLENT CRIME

And, the Jurors aforesaid, do on their oaths and affirmations present that Kevin Eugene Mack, on or about August 23, 2023, in Frederick County, Maryland, unlawfully did use a firearm in the commission of a crime of violence; contrary to the form of the Act of the Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Criminal Law §4-204(b)) *CJIS Code: 1 5299*

COUNT 4– FIREARM – POSSESSION WITH CRIME OF VIOLENCE/FELONY CONVICTION

And, the Jurors aforesaid, do on their oaths and affirmations present that Kevin Eugene Mack, on or about August 23, 2023, in Frederick County, Maryland, unlawfully did possess a regulated firearm after having been convicted of a crime of violence, to wit: Second Degree Assault, as defined in Public Safety Law Section 5-101(c); contrary to the form of the Act of the Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Public Safety Law §5-133(c)) *CJIS Code: 1 1609*

COUNT 5– FIREARM – POSSESSION WITH CRIME OF VIOLENCE/FELONY CONVICTION

And, the Jurors aforesaid, do on their oaths and affirmations present that Kevin Eugene Mack, on or about August 23, 2023, in Frederick County, Maryland, unlawfully did possess a regulated firearm after having been convicted of Distribution of PCP, an offense under the laws of the United States that would constitute a crime under 5-602 of the Criminal Law Article, if committed in this state; contrary to the form of the Act of the Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Public Safety Law §5-133(c)) *CJIS Code:*

COUNT 6– FIREARM – POSSESSION WITH CRIME OF VIOLENCE/FELONY CONVICTION

And, the Jurors aforesaid, do on their oaths and affirmations present that Kevin Eugene Mack, on or about August 23, 2023, in Frederick County, Maryland, unlawfully did possess a regulated firearm after having been convicted of Possession with Intent to Distribute while Armed, an offense under the laws of the District of Columbia that would constitute a crime under 5-622 of the Criminal Law Article, if committed in this state; contrary to the form of the Act of the Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Public Safety Law §5-133(c)) *CJIS Code: 1 1609*

COUNT 7– FIREARM – POSSESSION WITH CRIME OF VIOLENCE/FELONY CONVICTION

And, the Jurors aforesaid, do on their oaths and affirmations present that Kevin Eugene Mack, on or about August 23, 2023, in Frederick County, Maryland, unlawfully did possess a regulated firearm after having been convicted of Possession with Intent to Distribute, a violation of 5-602 of the Criminal Law Article; contrary to the form of the Act of the Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Public Safety Law §5-133(c)) *CJIS Code: 1 1609*

COUNT 8 – ILLEGAL POSSESSION OF REGULATED FIREARM

And, the Jurors aforesaid, do on their oaths and affirmations present that Kevin Eugene Mack, on or about August 23, 2023, in Frederick County, Maryland, unlawfully did knowingly possess a regulated firearm after being convicted of a disqualifying crime, to wit: Illegal Possession of a Regulated Firearm, a violation classified as a misdemeanor in the state that carries a statutory penalty of more than two years; contrary to the form of the Act of the Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Public Safety Law §5-133(b))

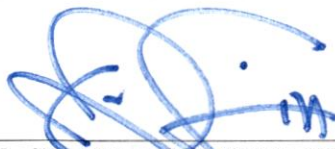
CJIS Code: 1 1106

COUNT 9 – ILLEGAL POSSESSION OF REGULATED FIREARM

And, the Jurors aforesaid, do on their oaths and affirmations present that Kevin Eugene Mack, on or about August 23, 2023, in Frederick County, Maryland, unlawfully did knowingly possess a regulated firearm after being convicted of a disqualifying crime, to wit: Unauthorized Removal of Property, a violation classified as a misdemeanor in the state that carries a statutory penalty of more than two years; contrary to the form of the Act of the Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Public Safety Law §5-133(b)) *CJIS Code: 1 1106*

COUNT 10– ILLEGAL POSSESSION OF AMMUNITION


And, the Jurors aforesaid, do on their oaths and affirmations present that Kevin Eugene Mack, on or about August 23, 2023, in Frederick County, Maryland, unlawfully did possess ammunition, being prohibited from possessing a regulated firearm under Public Safety Law Section 5-133; contrary to the form of the Act of the Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Public Safety Law §5-133.1) *CJIS Code: 1 1285*



J. CHARLES SMITH, III
STATE'S ATTORNEY FOR
FREDERICK COUNTY, MARYLAND



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A handwritten signature in black ink, appearing to read 'Amanda K. Leatherman', written over a horizontal line.

AMANDA K. LEATHERMAN

ASSISTANT STATE'S ATTORNEY

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FOREMAN



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TO THE PERSON CHARGED:

1. This paper charges you with committing a crime.
2. If you have been arrested, you have the right to have a judicial officer decided whether you should be released from jail until trial.
3. If you have been served with a citation or summons directing you to appear before a judicial officer for a preliminary inquiry at a date and time designated or within five days of service if no time is designated, a judicial officer will advise you of your rights, the charges against you, and the penalties. The preliminary inquiry will be cancelled if a lawyer has entered an appearance to represent you.
4. You have the right to have a lawyer.
5. A lawyer can be helpful to you by:
 - a. explaining the charges in this paper;
 - b. telling you the possible penalties;
 - c. helping you at trial;
 - d. helping you protect your constitutional rights; and,
 - e. helping you to get a fair penalty if convicted.
6. Even if you plan to plead guilty, a lawyer can be helpful.
7. If you are eligible, the Public Defender or a court- appointed attorney will represent you at any initial appearance before a judicial officer and at any proceeding under Rule 4-216.1 to review an order of a District Court Commissioner regarding pretrial release. If you want a lawyer for any further proceedings, including trial, but do not have the money to hire one, the Public Defender may provide a lawyer for you. The court clerk will tell you how to contact the Public Defender.
8. If you want a lawyer but you cannot get one the Public Defender will not provide one for you, contact the court clerk as soon as possible.
9. **DO NOT WAIT UNTIL THE DATE OF YOUR TRIAL TO GET A LAWYER.** If you do not have a lawyer before the trial date, you may have to go to trial without one.

Identification Sheet

Name: Kevin Eugene Mack

LKA: c/o FCADC, 7300 Marcies Choice Lane, Frederick, Maryland 21704

Race: Black

Sex: Male

DOB: December 19, 1980

Hair: Black

Eyes: Brown

Height: 5' 9"

Weight: Unknown

SCARS/IDENTIFYING MARKS:

ADDITIONAL
INFORMATION: SID:

AKA:

EMPLOYER:

ALERTS/CAUTIONS: